

**REMARKS/ARGUMENT****Regarding the Objections to the Drawings:**

The reference to the patterned surface in claim 3 (not claim 2 as indicated in Section 3 of the Office Action) has been deleted.

With respect to reference character 48 in Figs. 3 and 4, careful inspection of the drawings reveals that this is actually 46, which is identified as a film sensor in the specification. To improve the clarity of the drawings, however, a replacement sheet in which reference character 46 appears more clearly is provided herewith. It is respectfully requested that this be substituted for the original sheet of drawings containing Figs. 3 and 4.

**Regarding the Claims in General:**

Claims 1-12 and 21 are now pending. Claims 1, 3, and 9 have been amended to better highlight the distinguishing features of the invention, and to address other issues raised by the Examiner.

The amended claims now recite more explicitly what was already at least implicit in the claims as previously presented, and have therefore not been narrowed for statutory purposes related to patentability.

Claims 13-20 have been canceled without prejudice to prosecution in a divisional application.

New claim 21 has been added to provide applicants with additional protection to which they appear to be entitled in light of the known prior art.

**Regarding the Rejection under 35 U.S.C. 112:**

Claim 9 has been amended to address this rejection.

**Regarding the Prior Art Rejections:**

In the outstanding Office Action, claim 1 was rejected as anticipated by Kropf et al. U.S. Patent 5,941,150 (Kropf) and also as anticipated by Price et al. U. S. Patent 2,657,926 (Price). In

addition, dependent claims claims 2-12 were variously rejected as obvious over Price in view of several secondary references. Applicants respectfully traverse these rejections.

Claim 1, as amended, recites a film holder which is:

... *between the linear feeding device and the trimming device* that is operable between a first position wherein a gap is provided for the film to pass through during feeding to the trimming device and a second position for clamping the film *while the film is being severed* by the trimming device. (emphasis added)

The first of the emphasized features is not found in either Kropf or Price, and the second emphasized feature is not found in Kropf.

Kropf is concerned with severing articulated paper, a product used by dentists to check occlusion of a patient's teeth by having the patient bite down on the paper. As best seen in Figs. 3-5, the paper P is fed from a roll R by a conveying mechanism 31 toward a cutter 55 attached to an upper arm 65. Conveyor 31 carries a barb 43 which moves the paper, and it also includes a body 33 which engages a raised cam 71 attached to arm 65 to lower the arm and cutter 55 after the paper has been advanced.

As explained at col. 6, lines 30-58, the purpose of arms 65 and 63 is to hold a severed length of tape so that it can be inserted by the dentist in the patient's mouth. As observable from Fig. 3, the trimming device 55 moves with the second arm member 65, and since the cutter blade protrudes from the second arm member 65, the second arm member 65 does not engage the articulating paper P until the paper has been cut by the trimming device 55. In other words, the second arm member 65 does not clamp the paper when the paper is being severed, but only grips the paper after severance.

Thus, the requirement that the clamping means be movable to a second position for clamping the film *while the film is being severed* by the trimming device is not satisfied by Kropf.

Moreover, as also observable from Fig. 3, arms 63 and 65, which constitute the holder in Kropf, are located on the other side of cutter 55 from feeding device 31. Thus, the requirement that the holder be located *between the linear feeding device and the trimming device* is also not met in Kropf.

As to Price, the Examiner states that the gravity or spring pressed finger 70 is equivalent to the claimed film holder. However, it is clear from Fig. 1 of the patent that the finger 70 is to the left of the trimming device 52 and is thus not located between the linear feeding device 20 and the trimming device 52. This is further demonstrated by Fig. 2, which is a front view of the device shown in Fig. 1 taken from the left hand side thereof. It shows the finger 70 in front of the trimming device 52. The finger 70 is lifted or released from contact with the top of the tape by the plunger 72 of solenoid 73 when the latter is energized (col. 3, lines 36-45). The plunger 72 is also located to the left of the trimming device 52 in Fig. 1, and is independent of the trimming device 52.

Claims 2-12 and 21 are dependent on allowable claim 1, and are therefore allowable for the reasons stated above. In addition, these claim recite features which, in combination with the features of their respective parent claims are neither taught nor suggested in Price or the secondary references, whether considered singly, or in combination.

#### Regarding Other References Cited by the Examiner

The other references cited by the Examiner but not applied have been considered, but the present claims are not believed to be anticipated or rendered obvious by these references.

In view of the foregoing, favorable reconsideration and allowance of this application are respectfully solicited.

I hereby certify that this correspondence is being transmitted by Facsimile to (703) 872-9306 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

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Respectfully submitted,

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